

THE EVENING CRITIC.
ESTABLISHED AUGUST, 1868.

A TEST CASE

Which Will Open Up the Question of the Legality of Assessment Certificates.

F. E. Alexander, attorney for John Thompson, of New York, has filed a petition for mandamus against the District Commissioners. The petition claims that fourteen drawback certificates, aggregating \$444.02, with 10 per cent. interest, from February 12, 1873, and three drawback certificates, aggregating \$5,592.84, with interest at 10 per cent. from April 14, 1873, all of which certificates are claimed under the act of Congress of June 19, 1878, should be paid. The petition claims further that said act is remedial in its character, and that the act of refusal by said Commissioners, when entered and recorded, was a judgment, and that the drawback certificates are in the nature of quasi executions, and, therefore, evidence of the judgments aforesaid; that the original assessment certificates of which Thompson is the holder, purporting to be for the same amount, have been issued against certain property therein named, for "its proportionate amount of the cost of the improvement," and revision of the assessments having shown that the representation on the face of the certificates as to the cost was false, and as the certificates purporting to be a lien against the property, Congress intended by the above-mentioned act to relieve the property from the excessive lien, and hold the District liable by its drawback certificates for its false representations in its assessment certificates issued by its officers.

It is further stated that the Commissioners having made the revision, the judicial function in them has been completely exercised, and the ministerial function in issuing the drawback certificates remains to be performed, which the Commissioners have refused to perform. Hence the petition for mandamus.

This is a test case involving about a half million in assessment certificates, held by third parties, and about \$800,000 of certificates held by the Sinking-Fund Commission, United States Treasury Department.

A Point of Law.

In the opinion of many of the best legal gentlemen in the city, District Attorney McKim has been pursuing an irregular and mistaken course with regard to Guitau, and one, in their view, more likely than not to benefit the property owner, and to the Constitution of the United States. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and District wherein the crime shall have been committed; to be confronted with the witnesses against him; to compel the attendance of witnesses in his favor, and to have the assistance of counsel for his defense.

If this means anything, these lawyers contend, it means that Guitau should have been brought to a speedy trial on the charge of assault with intent to kill. In case the President died of the wound, Guitau would then be tried for murder. The point is exciting no little discussion.

Transfers of Real Estate.

To-day: Langdon & Barber, trustees, to George S. Brandle, late of D. C., to S. L. D. D. Park, \$5,000. A. P. Farlow to J. Donald Cameron, lots 71 and 72, square 134, \$3,022.73. James B. Weiner to same, lots 73 and 74, square 134, \$3,322.00. C. F. Coert to William G. Dixon, part lot 75, old Georgetown, \$700. Sarah H. Johnston to Virginia Bulkley, lots 8 and 9, square 133, \$100.

Marriage Licenses.

Marriage licenses have been granted to Edward A. Bain and Josie Dalton, of Petersburg, Va.; Dany A. Randall and Elizabeth Walker, Theophiles Foley and Jane Pelton, Alexandria, Va.

No Water on Capitol Hill.

To the Editor of The Evening Critic:

In your issue of the 21st is an item as follows: "While other cities are crying out over a dearth of water and its bad odor this summer, Washington appears to have a full supply. Judge, how lucky of complainants." Bless your soul, my dear sir, you know you don't live on Capitol Hill now, sure. Why don't you have any water one quarter of the time above the first floor. Water has to be carried up stairs in buckets to bathe in and wash out things generally. Now the complainants appear often in the papers because we have not got of making them. We get no satisfaction if we do. The inspector pretends to know no more about it than I do, if it is his business. Would it not be a good idea to have him turned out, and have a man put in who will give you a civil answer. Water or no water, we have to pay five dollars and one-half per year for what water we get from the hydrant and the privilege of looking at the spigot up stairs and the bath-tub as dry as a goose pasture. I am satisfied our rulers on Four-and-a-half street don't care a cuss whether Capitol Hill has any water or not. Just give us a commissioner from east of the Capitol, and we will have enough, you can bet. Now certainly here is one—COMPLAINANT.

Are the District Commissioners Dumb?

To the Editor of The Evening Critic:

It appears that the last Congress, on the complaint of the Treasurer of the United States, directed an investigation to be made by the District Committee of the conduct of the District Commissioners in the matter of revising special assessments. The investigation was made, and the committee drew up a report of the facts found and their conclusions thereon. This report does not appear to have acted on for want of time, but it was prepared and ready to be submitted. That report, if it can be had, will undoubtedly give the desired facts about the above-named investigation, the interest of one of the Commissioners. Can't you get that report?

Religious Intelligence.

The Revised Version is about to appear in Welsh.

American Baptists and Presbyterians are the only denominations who have missions in Siam.

The Scotch United Presbyterian church reports \$100,000 more of contributions this year than in 1879.

The Irish Presbyterians have voted down instrumental music in their churches for a while longer.

The vicar-general of the Roman Catholic diocese of Warsaw, Poland, has issued a circular, to be read in the churches, against the persecution of the Hebrews as contrary to the Catholicity.

A class of fifteen graduates in a theological seminary in Xenia, Ohio, nearly all volunteered to go as foreign missionaries; but for lack of funds only two could be sent, one each to India and Egypt.

Pope Leo recently gave audience to the Rev. Father Bouland of Boston, who informed the pontiff that Catholicism was flourishing in Boston, and was making many converts from Protestantism.

In Dorset, Vt., pastor Pratt has preached to the Congregational Church for twenty-five years; the chorister has started the tunes every Sabbath for thirty years; the Sabbath-school superintendent has held office for sixteen years; one teacher has taught fifty-two years; one deacon has held office for twenty years; and another for forty years. Is not that parish staid and stable in all its ways?

Notice.

Don't forget! Don't forget! Concentrated Lemonade for your lunch. Seventh and F.

An English Popular Demonstration of Sympathy.

At the close of his sermon in the City Temple, London, on the evening of Sunday, July 3, Dr. Parker referred to the attempted assassination of the President in the following terms: "We have heard with horror of the attempt to assassinate the President of the United States, and our hearts are moved by unfeigned and fervent sympathy with all who are most deeply afflicted by the shameful outrage. We feel that injury has been done to the whole cause of civilization. This is more than an assault upon an individual. It is a blow struck at the very life of society, and it should be resented in the name of all that is dear to families and nations. I think we ought to seize this opportunity of joining with others in the expression at once of our sympathy and our sympathy. When America is visited by said Commissioners, when entered and recorded, was a judgment, and that the drawback certificates are in the nature of quasi executions, and, therefore, evidence of the judgments aforesaid; that the original assessment certificates of which Thompson is the holder, purporting to be for the same amount, have been issued against certain property therein named, for "its proportionate amount of the cost of the improvement," and revision of the assessments having shown that the representation on the face of the certificates as to the cost was false, and as the certificates purporting to be a lien against the property, Congress intended by the above-mentioned act to relieve the property from the excessive lien, and hold the District liable by its drawback certificates for its false representations in its assessment certificates issued by its officers.

The Small Boy's Explanation.

It was Sunday evening. Angelica had invited her "best young man" to the evening meal. Everything had passed off harmoniously until Angelica's 7-year-old brother broke the blissful silence by exclaiming: "Oh, ma! yer oughter seen Mr. Lighted the other night, when he called to take away for mandamus!"

"Fred!" screamed the maiden, whose face began to assume the color of a well-dressed crab—quickly placing her hand over the boy's mouth.

"Oughter seen him," continued the persistent informant, after gaining his breath, and the embarrassed girl's hand was removed; "he had his arm—"

"Freddie!" shouted the mother, as in her frantic attempts to reach the boy's armpit appendage she upset the contents of the teacup in Mr. Lighted's lap, making the Constitution of the United States say: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and District wherein the crime shall have been committed; to be confronted with the witnesses against him; to compel the attendance of witnesses in his favor, and to have the assistance of counsel for his defense."

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A Miser's Hoard.

Elmer Gassner, of Pittsfield, Otsego County, died recently, leaving, it was supposed, no property. Soon after his death, however, the sum of \$15,000 was found in an old iron box under his bed, and he was discovered to be the possessor of bonds, securities and available assets in addition to the sum of \$15,000. His heirs indicated that, instead of being the possessor of so much wealth, he was extremely poor. His avarice and economy had led him to eschew wearing boots or shoes except in the coldest weather, while his clothing was little better than that of the most unfortunate pauper. His whole object in life seemed to have been to save. He bore a very fair reputation in the community in which he lived. Others will now spend his money who will doubtless bless his memory—and his economy.

The Concord Philosophers.

The Concord (Mass.) school of philosophy and hero worship is open again. This is an annual affliction, and is therefore seventeen times as bad as a visit from the seventeen-year cicada. The employment of those who attend this metaphysical kindergarten is simple. It consists in listening to incomprehensible speculations about the unknowable and the inconceivable, mingled with the adulations of the everlasting ego. No one who joins the crowd of slaves to fashion at this new summer resort is benefited by it either physically or mentally, and its utility to the admirer is really too utterly utter, and that is all there is to it.

Smuggled Ostrich Eggs.

Customs Inspectors McCort and Van Horn recovered twenty-eight ostrich egg-shells and twenty ostrich feathers, and in the cabin of one of the officers on board of the ship Elvina from the West Indies. There was no entry of the articles on the vessel's manifest, and they were sent to the Custom House. The egg-shells weigh nine ounces each. They are six times the size of turkey eggs. They were intended for a taxidermist in North William street.

Dr. Rhodes' Transfusing Battery.

advertised in another column, is an article of real merit and is worth its weight in gold. It will positively do what is claimed for it. Money cheerfully expended in its use is a satisfaction of length of time if they are not satisfied. Mr. R. K. Holpenstine, the well-known druggist, Fourteenth and F streets—Ebbitt House—is the agent.

A reader writes from what he calls "an average" country hotel: Your coffee is good; but there is a curious odor of rosy and chicory from a rural grocery. You have fine raspberries; there is one berry bush in this village, and it is kept for curiosity, like a century plant. You can have fresh green peas; at our table they serve aged yellow beets. You have delicate lamb chops and tender cutlets; but you have a roach hump or tough pieces from the sheep's neck stewed until they are the color of mahogany. You have water ices for dessert; we have blue flies and huckleberries. Your French bread is crisp and dry; our bread is purchased from a traveling baker and is sour, and is 'tune made' and is a good substitute for Belgian pavement. You have two cats scolding under your city window; we have thirty cats strolling and yowling on our balcony, while all the dogs in the village are speeding the departing comet. You sleep calmly while the milkman suppers his 'too-wit-to-who' but we are awakened at faintest dawn by rumpant roosters, tautling turkeys, creaking pumps and gurgling teamsters. You have bathtubs and warm water; we have an empty pitcher and a piece of petrified soap.

Love Song of the Period.

I love you, Love, for good or ill,
As brown bees love sweet honey;
I love you, Love, soul, heart and will,
For some bright sky or sunny;
And yet I pause, I falter still,
For, Oh! one thought, one doubt doth thrill—
My darling, have you money?

I love you, Love; I love you, Love;
But, Oh! you must have money;
A sweet rose is a rose, my Love;
Yet if it holds no honey,
The willow tree will not stay,
But, humming along, he flies away,
To find a rose with money.

Chorus:
I love you, Love; I love you, Love;
But, Oh! you must have money.
—Joseph Miller.

Notable Sayings of Notable Men.

"Fine or superfine."—Judge Snell.
"Sink or swim."—Prof. Odium.
"I go, but I return."—Col. Amos Webster.

"I'll mimic all his struts and ways in spite of him."—John A. Clarke.
"I think that a little alcohol is healthy during the heated term."—Bain. Webb.

"Crockery will break, and so do characters. Keep sober!"—Francis Miller, Jr.
"Men who do not abuse their systems are always the happiest."—Reddy Welch.

"Guiteau's bullet troubles us more than our own bulletins."—Drs. Bliss and Reburn.
"A man ought never allow himself to be bluffed if he has a good pair."—Lawyer Lipscomb.

"The best way for a man to keep cool this weather is to be master of his appetites."—Joe Innaga.
"Well, if I hadn't been left I'd be right, and don't you forget it. I never will."—Roscoe Conkling.

"Oft when the wine in the glass was red, I've longed for whiskey straight instead."—Billy Copeland.
"I have known men to be religious because they were good; but I never knew a man to be good because he was religious."—G. Douglas.

"Some men are born great, some men achieve greatness, and some men make fools of themselves and win universal contempt like myself."—A. M. Gibson.
"Old boy! old boy! had I paid my debts with the zeal that I incurred them, I would not in this stage of the game been perforce compelled to slide up back alleys."—Too numerous to mention.

"The question whether life is a mere passing show can be only answered by the man that gets a dead-head ticket. As I always go on in the free list, or get not at all I know nothing about the conundrum."—U. H. Painter.

"I'm such a dory, I mash the girls; When one sees me her intellect whirls Till her bonnet is torn by ecstatic curls. There's electric when I'm seen; Some folks, you know, may call me green; But I mash the girls, and they tumble to it. And the boys are mad because they can't do it. Chorus: 'For I'm such a dory.'"
—Major Guthridge, Lightning Calculator.

An Ohio girl has married a Chinaman. She wanted a husband who would not spend all his time in a Washington or foreign office. She took the only chance that was offered her.

MARRIED.

BAIN-DALTON.—In Washington, July 22, by Rev. J. A. Walter, pastor of the Catholic Church, Edward A. Bain and Josie T. Dalton, both of Petersburg, Va.

DIED.

BUCHLY.—On Friday morning, July 22, Anthony Buehly, in the 58th year of his age. Funeral from his late residence, 922 Pennsylvania avenue northwest, on Sunday, July 24, at 4 o'clock p. m. Friends of the family are invited to attend.

PURDY.—At his residence, 315 4th street, at 8:10 p. m. Friday, John Purdy, in the 75th year of his age.

RAMSEY.—On Friday morning, July 22, Mary Eleanor Tyler, widow of James T. Ramsey, Esq. The funeral will take place from her late residence, No. 134 G. st. n. w., on Sunday, July 24, at 3 o'clock p. m.

UNDERTAKERS.

R. F. HARVEY, UNDERTAKER, 921 SEVENTH ST. NORTHWEST. Formerly 932 F Street Northwest. The public is respectfully notified that I am no longer at 922 F street, but 921 Seventh street northwest. Make no mistake. R. F. HARVEY, JET

J. T. CLEMENTS,

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Men's Office Coats, 50c. 20c. Undershirts, 8c. 4c. Gent's Canvas Shoes, suitable for bathing, 4c. Ladies' Bathing Slippers, 5c. Good Black Alpaca Coats, \$1.00; Colored, \$1.50. Shoes at unprecedentedly low prices; for the cash, at 50c. and up for Pairs, \$5 and up for Crocoats, \$2.50 and up for Making and Trimming Pants.

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JULY 23

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AUCTION SALES—TODAY.

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA, WASHINGTON, July 19, 1881.

SALE OF NORTHERN MARINE SHIPS. There will be sold at public sale, on the premises, at 6 o'clock p. m. SATURDAY, the 23rd inst., the ships and material on square No. 414, formerly occupied and used for market purposes, which must be removed by the purchaser within five days from day of sale.

By order of Commissioners. WILLIAM TINDALL, Secretary.

AUCTION SALES—FUTURE DATES.

BY DUNCANSON BROS., Auctioneers.

TRUSTEES' SALE OF IMPROVED PROPERTY ON FOURTH, BET. G AND H STS. NORTHWEST, AT AUCTION.

By virtue of a deed of trust given to us, and duly recorded in Liber No. 812, folio 106, at sec. 1, in the District of Columbia, we will sell at public sale, on the premises, the following described property in the city of Washington, District of Columbia, and known as part of lot numbered one (1) in each of the following divisions of the east half of lot numbered eight (8), in square numbered five hundred and eighteen (518), as recorded in the office of the District of Columbia, beginning for said part of lot numbered one (1) on Fourth street west, along the east line of said lot one (1) twenty-four (24) feet north from the southeast corner of said lot one (1), and thence north with said Fourth street west, and said east line sixteen feet to the northeast corner of said lot, thence west on the north line of said lot sixteen feet (24 ft.), three (3) inches, thence south sixteen (16) feet, thence east sixty-two (62) feet three (3) inches, to the place of beginning, together with all the improvements, ways, easements, rights, privileges and appurtenances to the same belonging or in any way appertaining.

Terms: One-fourth cash, balance in 6 and 12 months, notes to bear interest at six per cent. per annum, to be paid in cash, at option of purchaser. Terms to be complied with in 7 days, otherwise the trustees reserve the right to resell the property at public sale, at the risk and cost of defaulting purchaser after giving five days' public notice in some newspaper to be published in Washington, D. C. A deposit of \$100 required at time of sale. Conveyancing at purchaser's cost. JAMES H. HUGHES, Trustee.

EDWARD DROOP, Trustee.

THE ABOVE SALE IS POSTPONED ON account of rain until MONDAY, the 28th day of July, A. D. 1881, at same hour and place.

JAMES H. HUGH